

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RISK SOLUTIONS, LLC,
a Michigan limited liability company,

Plaintiff,

v

Case No. 5:05-cv-175

TJP ASSOCIATES, LTD.,
an Illinois corporation,
JOHN P. CORNELIUS, LTD.,
an Illinois corporation,
JOHN P. CORNELIUS,
an individual, and
THOMAS J. PTACEK,
an individual, jointly and severally,

Hon. Wendell A. Miles

Defendants.

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ORDER ON PETITION TO APPEAR PRO HAC VICE

This matter is currently before the court on the verified petition of John R. O'Brien for leave to appear pro hac vice on behalf of the defendants. The petitioner states, among other things, that he is licensed to practice law in the State of Illinois. He further states that in over 27 years of practicing law, he has never previously been requested to represent any party in this district, nor in any other court in the State of Michigan, and that he does not anticipate having the opportunity to do so at any time in the future, with the exception of these proceedings. The petitioner further states that he intends to file a motion on behalf of the defendants to dismiss for lack of personal jurisdiction, and that he anticipates that this motion will "efficiently and promptly" dispose of the case.

W. D. Mich. L. Civ. R. 83.1(c)(iii) indicates that although this court disfavors pro hac vice admission, such admission “may nevertheless be allowed on a temporary basis pending full admission, or in unusual circumstances.” The petitioner argues that this case presents “unusual circumstances.” However, the court concludes that petitioner has not shown that this case in fact presents “unusual circumstances.”

Moreover, permitting petitioner to practice in this court pro hac vice would be inconsistent with W. D. Mich. L. Civ. R. 5.7. Local Rule 5.7(b)(i) requires all attorneys practicing in this court to register to file and serve documents electronically by the ECF system. Local Rule 5.7(b)(ii) further provides that to be entitled to register as a user of the ECF system, an attorney must be admitted to practice in this district.

Petitioner states that defendants John P. Cornelius and Thomas J. Ptacek, who have been his clients for over 10 years, desire petitioner to represent them. However, Messrs. Cornelius and Ptacek will not be denied their counsel of choice. If petitioner chooses to represent them in this matter, he may either retain local counsel who is admitted to practice in this court, or himself fulfill the requirements for admission. At present, petitioner has not demonstrated the existence of unusual circumstances warranting his pro hac vice admission, and his petition is therefore

DENIED.

So ordered this 27th day of February, 2006.

/s/ Wendell A. Miles
Wendell A. Miles
Senior U.S. District Judge